



MEMORANDUM

To: Environmental Quality/Land Use Committee

From: Steve M. Hundley, AICP, Zoning Administrator *smh*

Via: Brandol Harvey, Chief of Planning *BH*

Date: August 18, 2006

Subject: SUP 06-005 – 201 W. Roanoke Street – Roanoke Street Building Partnership, Amendment to a Special Use Permanent allowing General Office use

SUMMARY OF REQUEST

Request: Amendment to Special Use Permit to allow all types of General Office use.

Existing SUP: Approved October 23, 1979 for General Office use with the condition “that the property be used solely for professional law offices.”

Applicant/owner: Roanoke Street Building Partnership.

Property Location: 201 W. Roanoke Street.

Tax Parcel Number: 256- A 102.

Lot Size: 11,107.8 square feet (.255 acres).

Zoning /District: OTR, Old Town Residential.

Surrounding Zoning: OTR and Downtown Commercial (DC).

Present Use of Properties: General Office use.

Surrounding Uses: North, west, and south: General Office use;
East (across Draper Road): Grocery Store use;
Northeast (across Roanoke & Draper): Parking Facility use.

Neighborhood Meeting: 5:00 p.m., August 2, 2006.

HDRB Meeting: 4:30 p.m., August 8, 2006

BACKGROUND

Mr. Gary Hancock, representing the owner of the property, Roanoke Street Building Partnership, is requesting an amendment to an existing Special Use Permit (SUP) in order to allow General Office uses other than solely professional law offices, as permitted by a condition of the original SUP. An SUP was originally granted for General Office use on October 23, 1979. The existing SUP is contingent on the following four conditions:

1. "That the property be used solely for professional law offices."
2. "That the existing mature trees on the site be preserved where feasible."
3. "That screening will be provided to screen the adjacent residential use," and
4. "That the external character of the building will be maintained."

A Virginia Tech University office is a potential tenant for the building. The amendment is required to allow this potential tenant or other future professional office tenants to occupy 201 W. Roanoke Street.

AMENDMENT PROCESS

The criteria to be considered in evaluation of an amendment to a Special Use Permit are set forth in Section 1181(b) General Standards, as follows:

"No special use permit shall be issued except upon a finding of the Town Council that in addition to conformity with any standards set forth in this chapter, the proposed special use conforms with the following general standards. These standards shall be met either by the proposal made in the original special use permit application, or by the proposal as modified or amended as part of the review of the application by the Commission and the Town Council:"

1. "The proposal as submitted or modified shall conform to the Comprehensive Plan of the Town, or to specific elements of the plan, and to official Town policies adopted in relation thereto, including the purposes of the Zoning Ordinance."
2. "The proposal as submitted or modified shall have a minimum adverse impact on the surrounding neighborhood or community. Adverse impact shall be evaluated with consideration to items such as, but not limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes and vibrations. In considering impacts, due regard shall be given to the timing of the operation, site design, access, screening, or other matters which might be regulated to mitigate adverse impact."

NEIGHBORHOOD MEETING

A neighborhood meeting was held at 5 p.m., August 2, 2006. Mr. Gary Hancock, representing the owner/applicant, attended the meeting. No other citizens attended.

COMPREHENSIVE PLAN

The use is located in the Downtown Planning Sector and in the Downtown neighborhood as identified in the Comprehensive Plan. The Future Land Use Map identifies the proposed site as Mixed Use. The definition of Mixed Use is "*Business/professional*

offices, institutional, studios, gallery/museum, crafts, specialty shops, bed & breakfast, clusters of transitional residential housing."

A Critical Issue in the Downtown Planning Sector deserving consideration with regard to the proposed amendment *"...is a desire to preserve single-family residential character while incorporating limited commercial uses. The residential areas surrounding the downtown have felt the pressure of commercial growth for many years. There is a desire to expand limited commercial enterprises beyond current zoning lines, but in a fashion that maintains the desirability and character of the residential areas. Special use permits in this area should be closely scrutinized to ensure that the historic, pedestrian nature of the area is preserved or enhanced and not undermined."*

A related Critical Issue in the Downtown Planning Sector is *"the challenge to ensure that the established neighborhoods...maintain their attraction to families and owner occupants."* A Critical Neighborhood Issue for the Downtown sector is that the *"conversion of residential properties to commercial uses is a difficult issue that concerns neighborhood residents. Careful monitoring of the effects of... permitting 'special uses' only when the use would add to the character of the area are critical land use tools that can either protect or erode the residential nature of the neighborhood."*

Another Critical Issue for this sector is that the *"growth of the Virginia Tech office uses off-campus has been a trend over the past two decades. This growth has provided opportunities for the use of under utilized commercial space and for the conversion of residential sites to low intensity office uses."*

ZONING ORDINANCE

"General Office" use is defined in Section 2103 Definition of Terms and Use Types as *"Use of a site for business, professional, or administrative offices, excluding medical offices. Typical uses include real estate, insurance, management, travel, computer software or information systems research and development, or other business offices; organization and association offices; or law, architectural, engineering, accounting or other professional offices. Retail sales do not comprise more than an accessory aspect of the primary activity of a General Office. VPI&SU offices shall not house any regularly-scheduled classes."*

Old Town Residential District - The OTR district (Section 3060) is *"created in recognition that those areas adjacent to campus and the downtown are experiencing pressures for transition to commercial or high density residential use. These areas are the historic heart of the Town and lend much of its small-town character and unique architecture and pattern. The OTR district is intended to retain and protect the character while allowing broad special use which ease the transition from commercial and campus to residential. The district is designed for a low and medium density residential base, with small scale office, commercial and retail uses in the renovated or replicated housing, a dynamic mix of uses linked by a common historic residential character."*

The proposed amendment is evaluated on applicable criteria of the District Standards, Use and Design Standards, and Development Standards of the Zoning Ordinance.

District Standards – The proposal, as presented, complies with OTR zoning district development standards for minimum lot area, lot frontage, lot coverage, floor area ratio (FAR), setbacks, and height. (Division 6, Section 3062). The addition of an ADA handicap ramp must comply with front setback requirements. The ramp was reviewed by the Historic or Design Review Board (HDRB) and the applicant has agreed to comply with their recommendations. The remainder of the structure and lot is identical to that approved for General Office use in 1979.

Use and Design Standards –

The proposal complies with the Use and Design, General Standards [Section 4420(a)] for General Office use. Exterior lighting is not proposed.

The proposal and originally submitted site plan complies with all but one of the additional Use and Design Standards for General Office use in the OTR district [Section 4420(b) & (c)]. Section 4420(b)(3) states that "...no exterior changes may be made that are nonresidential in character." The potential tenant of the property requires an ADA handicap ramp. The proposed ADA ramp may be considered as an exterior change that would be nonresidential in character. Further, the ADA ramp could be considered a change to the external character of the building in violation of condition number 4 ("that the external character of the building will be maintained.")

Potential locations for the ramp are limited due to the location of the building on the lot, the front and rear elevations of the first floor, and due to interior architectural characteristics. The most efficient and practical location for the ramp is to extend the ramp from the rear parking lot along the west wall of the building to access the front entrance. It should be noted that a single-family residential use that requires an ADA ramp for a resident would be required to place the ramp as proposed.

Moreover, the applicant has agreed to design and construct the ADA ramp in compliance with the HDRB recommendations. The HDRB recommended that the ramp deck and support posts be constructed of pressure treated wood, but the railings and pickets be metal, with foundation landscaping planted to screen the ramp base and open spaces below. The Committee may wish to recommend that the HDRB recommendations be made a condition of the amended SUP.

Since the property has been in General Office use for approximately 27 years, the applicant has demonstrated compatibility with the neighborhood particularly with regard to traffic circulation, parking, and appearance. No complaints have been recorded with regard to the use. The existing structure with the proposed ADA ramp appears compatible with the surrounding neighborhood and consistent with the architecture and historic character of the existing structure.

The required minimum parking is identical to the number of spaces required in 1979.

Adverse Impacts – The proposal to include other types of General Office use is not expected to create adverse impacts.

CONCLUSION

Approval of a Special Use Permit is a discretionary decision of the Town Council. The application is evaluated on conformance with the Comprehensive Plan and to official Town policies, including the purposes and development requirements of the Zoning Ordinance regarding General Office use in the OTR district. In addition, the special use application is evaluated on minimum adverse impact on the surrounding neighborhood or community.

The proposed amendment to allow all types of General Office use appears to be consistent with both the Comprehensive Plan's Future Land Use map and addresses Critical Issues and Unique Characteristics of the Planning Sector involved. The submitted application and revised site plan appears to comply with the Town Zoning Ordinance District Standards, Use and Design Standards and Site Development Standards.

No significant negative impacts on adjacent properties, the district or the Town are anticipated due to granting permission to other General Office uses.

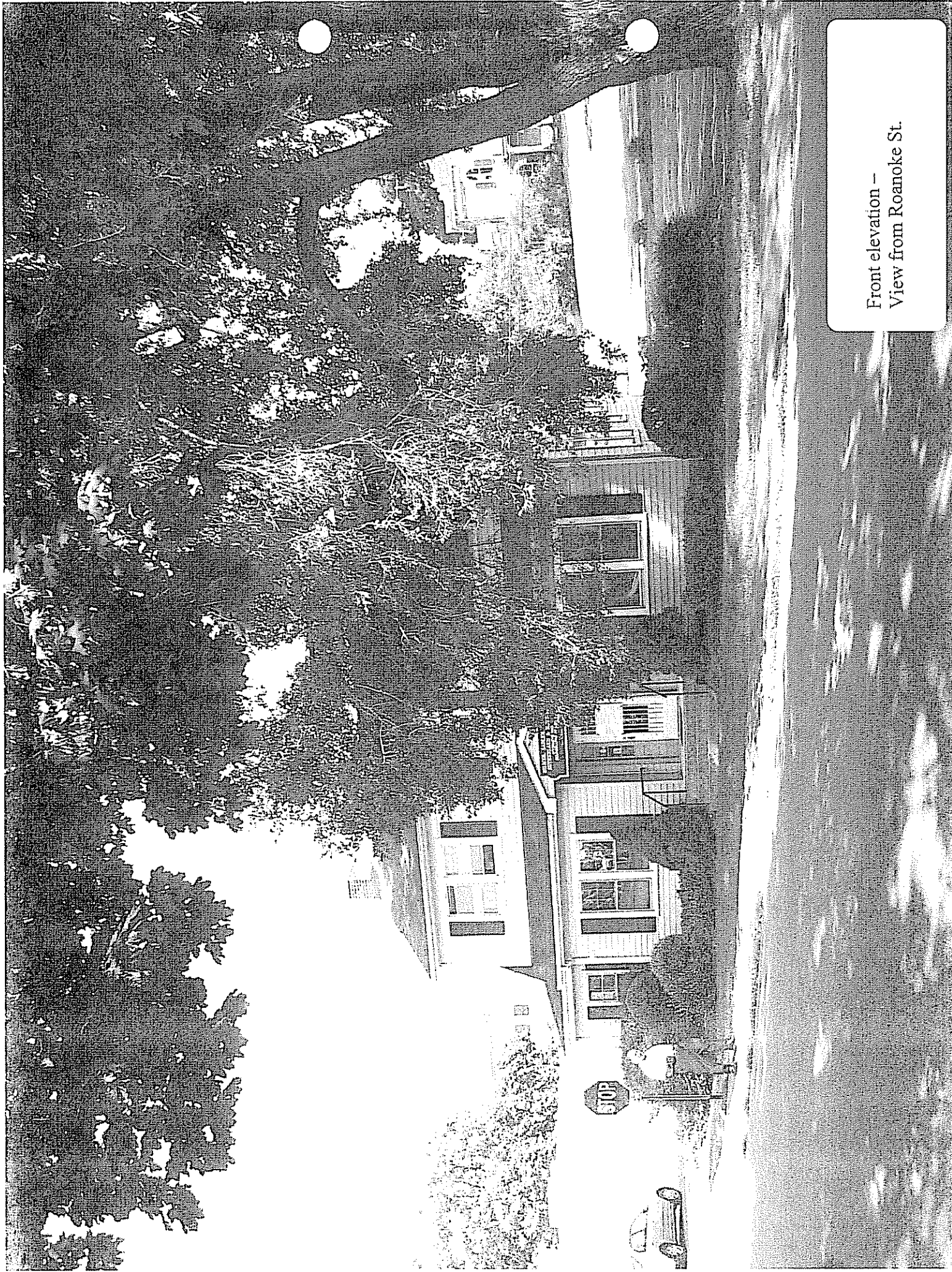
The Committee may wish to recommend the following conditions:

1. The elimination of condition number 1 of the original SUP, in order to allow all types of General Office use.
2. That the proposed ADA ramp be designed and constructed in compliance with the HDRB recommendations as follows:
 - Ramp deck and support posts may be of pressure treated wood;
 - Railings and pickets are to be of metal; and
 - Landscaping shall be planted to screen the base and open spaces below.

Attachments: Elevation photos

Questions for Planning Commission consideration:

1. Is the proposed amendment consistent with the purpose of the OTR district?
2. Is the proposed amendment consistent with the use and design standards for "General Office" use?
3. Is the proposed amendment consistent with the Vision for the Downtown Planning Sector? Is the proposed amendment consistent with the Mixed Use future land use designation?
4. Will the proposed amendment cause a negative impact on adjacent public right-of-ways? On adjacent property? On the Old Town Residential District?
5. Will other than solely professional legal office use be significantly different than other types of General Office use?



Front elevation –
View from Roanoke St.



Side elevation –
View from Draper Rd.



Rear elevation & parking lot -
View from Wall St.